(PB- 10,000 20 12 13

GENERAL AND REVENUE SECRETARIAT.

1892-93
191.
(Inwai)

File No. 214.

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Passing orders on the petition of the Agents of the Kudli Sringeri matt regarding the assessment payable to the matt by the holders of the alienated Inam lands.

PREVIOUS REFERENCES	LATER REFERENCES.
	Ang 321-37-1-9.

4/1883

Serial No. 32.) 1884/82 80/81

3164.

f Petitioner. Devarnasastry Vent of Kudli Sirigeri Mutt.

Shimoga

District. Do

Date of Arri. 11 } March 81

Date of Receipt. 14 }

Date of Disposal.

No. of Enclosures. 1. (List) -

Forwarded to the Dy Commr Shimoga for Enquiry as to when and under what circumstances the several alienations mentioned in the accompanying statement were made and what Evidence the parties in pre sent possession are able to produce in support of their title. It will be desirable if the alienees can be induced to restore the lands to the Mutt receiving a small compensation; otherwise the trustees may be asked to resort to legal proceedings to get back the lands.

The Government reserve the right of fully dealing with the lands if they continue in the hands of alienees.

R.G.

9/4.

ABSTRACT.

Submits an English petition in detail bringing to the notice of the Chief Commr sundry Inam lands of the Mutt which have been recently given away by the former Gurus of the Mutt to their several relatives and friends altho they had no personal

claims to them & state that
the Law Courts refuse
to establish the right
of the Mutt to such
Loans simply on the
Grounds that they are
fettered by limitations.
Beg that the Chief
Council may be pleased
to order the restitution
of those Loan Cards
or its equivalent in cash
&c

(L. & R. stamp)
1 AUG

3

3164

(1)

14. B. 8 4 5.

The Secretary to the
Chief Commissioner
of Mysore.
Revenue. Department.

The humble memorial of the agent of Kudli. Singari Matt Shimoga District, most respectfully sheweth.

That the Kudli. Singari Matt is situated at the confluence of the Tunga and Bhadra. rivers in the Shimoga Taluk, about 9 miles from the Head Quarters of the District. it was founded many Centuries ago by the famous Reformer Sri. Shankaracharinjer. It maintains several branch matts both in this and in Her Imperial Majesty's Territories.

2. During the tenure of several Gurus, who presided over the Matt, its wealth and splendour stood always surpassed by any of the independent matts of other Sects in Southern India. Its opulence even attracted the attention of that Celebrated intelligent reflecting traveller Dr Buchanan who immediately after the fall of Seringapatam and not long after the devastations of Marattha ruffians under Parashuram Bhow, visited this portion of the Country, and has described the state of the Mattum, as he found it, in the following words - vide his Travels vol. II.

His "Kudli Swamies) "in "in or e
was plundered and burnt, this cost the
Peshwa dear. Incensed Swami held
out threats of excommunication but was
pacified by a present of 4 00.000 Rs"

× × × × ×

" The Swami is said to have been of great use
" in the famine, and to have employed the
" utmost of his influence to support the star-
" ving wretches. He daily fed 3000 Brahmins.
" In his distribution the Swami is said to have
" expended (6) six lacs of Rupees."

× × × ×

" Among these, the most conspicuous of
" whom I have heard is the Swami of Kudle-
" About 400 years ago, the first founder of
" the Mattam was appointed a Sanyasi
" and was entrusted with the management
" of all the Mandal of the Maratta Nation. × ×
" The present opulence and power of the
Maratta Nation have raised the Mattam
" of Kudle to a greater splendour than that
" of the Singeri."

3 The date of the above description, as
has been already shewn is not very far
from us. This was about the year 1800 or 80.

4. The principal source, which contributed
to aggrandize the wealth and enhance the
prosperity of the Matt to such a height as
to rival the best of the time, was the Gran-
-ted Sanads by the several Rulers of the
Country. To which partly the opulent Maratha
disciples helped on to enrich the Matt to a
slight degree. The Government too, had
always directly or indirectly its share of
duty in watching the prosperity of the Matt
for it had granted Inams, and as a matter
of right, it exercised great interest in the
well being of this charitable institution.
Thus for a time, the Matt remained safe
from falling a victim to ruin and impoverish
ment—

vices for which the Inam endowments were made. The disciples at present remain unchanged, the resources, which the Mutt once depended upon for its existence are still the same; but its present status has suffered materially — Its nucleus of wealth has been wrested away. The Inam lands which formed the principal source of its wealth and prosperity have been alienated at the caprice of the Priests to their Kith and Kins, as will be seen hereafter.

5 From the year 1810, there came a series of circumstances which thwarted the resources of the Mutt and threw it into the present deplorable and impoverished Condition One Gangadharswamy alias Shankarabharte — Swami assumed the office of Guru in the Mutt. Singularly enough to his new position his Kith and Kins surrounded him and Committed drainage of the Mutt of its wealth — menced.

6 Your humble memorialist respectfully begs leave at this stage to press upon Your Honour's most valuable attention that from the time of Gangadharswamy the pernicious system of alienating the Mutt property viz, the Inam lands began — No valuable Consideration and in fact no consideration at all was there for the parting with of the Inam lands, a simple family relation-Ship was all that induced the Sanyasi to waste away the property of the Mutt. The object with which the endowments were made, and the way in which it was to be appropriated by the Sanyasis, who neither had nor have still any personal claims over them —

[illegible] was frustated and [illegible]. The Dawan was all the protection, under which those alienations have taken place. Inam-lands bearing an assessment of 700 Rs were alienated by the Swami in favor of his various friends and relatives. Inam-lands assessed at Rs 200/ passed into the hands of his son-in-law Pungashastru, who was the agent of the Matt under the Cover of Dawan. So his father-in-law Shankarshastru went-Inam-lands assessed at Rs. 36 under the invariable plea of Sept. The Subbaraya the uncle of the Swami took in his share of Inam lands assessed at Rs 60/ and the rest his friends. The next Swami Narasimhabharti pursued nearly the same line of policy as his predecessor. He alienated Inam lands bearing an assessment of Rs 250 to one Subbadu Bhat his old Creditor. The annexed table exhibits in one view Completely the extent of Inam lands given away by different Swamies who took them and their assessment &c-

7. As shewn above, Gangadharaswami was the first to pave the way to his successors to alienate the Matt property in favor of their relatives and friends, a result which brought the Matt to its present deteriorated Condition. If the management of the Matt like all other public charitable institutions had been Controlled by the Govt. Your humble memorialist is of opinion that the wealth of the Matt Could not have passed away at the whim of the Swamis- All the Inam-lands mentioned in the annexed list are Jodi inams and were resumed as such during the late Revenue and Inam-settlements also, and nominally stand in the names of the Matt in the Sirkar Accounts.

The-

odi is g the even-
up-date, and the enjoyment of the Crop is
with the so called donees. Thus the Matt is
made to suffer doubly.

8. Fraud characterizes the whole of these
transactions. Gangadhara Swami nomi-
nated Narsimabharthi his Sisters Son as
his successor. To him succeeded Shankerbharti
the nephead (Brothers Son) of Gangadhara-
Swami, and this was the Son of Dinpashastri
Swami, and this was the Son of Dinpashastri
whose name has been spoken of before as
having taken a large portion of Jagir Inam
under the Cover of Daman. - Vidya Shankar
Bharthi then took the place. He was the
Sisters Son of Gangadhar Swami and the
Brother of Narsimabharthi -

9. Shankerbharati now fills the office
of the Guru in the Matt. About a Year &
a half ago he assumed the charge of the Matt.
Unlike all other Gurus, he at once appoin-
-ted a new Agent unconnected with him -
and who would faithfully attend to the -
-verous duties incumbent upon him -
An enquiry was started, when all the -
fraud that was secretly Simpson un -
-holied for so many years past was brought
to light. The disciples also stood amazed -
when they learnt that the Inam lands had -
been so arbitrarily, to the detriment of the
Matt given away to the relatives of the -
Sanyasis for no good Consideration. The
Agents who were from time to time nomi-
-nated by the Gurus were either the brothers,
sons, or other nearest relatives of the Gurus,
so that either the Govt or the disciples had no-

means of catching a fee
re policy pursued both by the agents and the
Gurus in Concert.

"When the assistance of the Law Courts was
sought to recover the alienated inam-lands
der the circumstances aforesaid, it was
simply declared that they were fettered by
Rules of Limitation, and that the Mag-
-ree for the assumed was to make a—
representation to the Local Government.
to prevent the abuses and to interfere
in the mismanagement of this charitable
institution, acknowledging at the same time
the fraud, under which the inam lands—
were Conveyed away to men, who were in-
-Competent for the purposes of Sept, and who
acquired them on the strength of a mere—
family tie of relationship— The inam lands
are endowments made to the Math over which
the Gurus have no personal Claims, and they
are granted by the Govt for the maintenance
of the institution, and not for the benefit of the
Gurus, and that Consequently they are in-
-Competent to alienate them at their whims
and freaks. Arguments like these were—
urged in the Law Courts but to no purpose;
the dealers of Justice simply said and say
that possession for a certain number of
Years Confers a good title to the holders
of Inams, and therefore that part of the
Law Cannot be interfered, suggesting at
the same time that your humble memo-
-rialist may seek the aid of the Local—
-Govt which and which alone would remedy
the evil.

the Law Courts, Your humble memorialist—
respectfully begs that the usurpers of the
Inam lands may be ousted out of the—
ill-gotten spoil, which were for so many
Years in their enjoyment. The only notfication
of the Local Govt dated 7th November 1877
laid down rules for the restoration of the
Inams of Ryots & Charitable institutions
alienated subsequent to 1853 and for
enforcing the payment of Suit rent to
them on account of Inams alienated
prior to 1853. But these rules have been
held in abeyance because on reconsidera-
tion of the whole question came to the Con-
clusion that it was not desirable to
recognise the alienations made even—
prior to 1853 and thus your memo-
rialist humbly submits is perfectly in
harmony with the old Circulars and
the long established Custom of the Country.
strictly prohibiting the alienations of
such Inams. Therefore Your honour's humble
memorialist prays that by enacting
the said views of the Chief Commissioner
into a rule of law, the flagrant evils, which
have so secretly crept in undermining
the wealth and splendour of the charitable
institution, the maintenance of which
solely depended upon the Inam lands,
may be completely and effectually—
removed. Either the restitution of the—
Inam lands or its equivalent in cash
may be kindly ordered

11. This celebrated Institution so much—
neglected by the previous Gurus is fast—

as approaching its ruin. or ren.
already alleged. Saddled with heavy
expenses, Connected with the daily and
Periodical Services being obliged to pay
assessment of the Jodi lands now under
the enjoyment of the so called donees.
deprived of most of its wealth in jewelry
& other movable property which have also
like the Inam lands, been squandered
away the Matt is in a tottering Condition
and seeks the help of the Court.
2 Under these Circumstances the memo-
rialist, respectfully solicits that his
prayer may be granted as early as
possible

For which act of justice, the memorialist
shall humbly pray.-

(Signature)

Nimoja.
11th March 1881

Agent of the Kudli
Sringeri Math

ICE OF THE

Statement shewing the Inam Lands granted to the ... with other particulars.

Name of the villages in which Lands are granted	Assessment of the Lands granted by the Sirkar	Amount of Cost paid by the Sirkar	Name of the Swami who alienated the Lands by Gift	Name of the Alienee	His relationship with the Swami
Machanhalli	300	150/	Ganpashan alias Sunkar Bhuttar	Lunsa shastri	Younger brother
				Venkatabhoostanawam	Brotherin Law
Shetti Halli	300	150	Do	Lunsa shastri	Brother
			Do	Bhaswata Subbaya	Father in Law
			Do	Shankarshastri	Uncle
			Do	Nasi Dussappaya Subbipatta Bhatta	A Friend of the Swami before he was made a Swami
Savalli	500	220	Songeshwarashastri alias Ganpashan alias Sunkerbhuttar	Lingashastri	Younger brother
			Do	Shankar Rao	Friend
			Do	Narsimashari	Do Had lent money to the Swami before he was made a Swami
			Do	Nasi Dussappaya	A Friend of the Swami
			Do	Mahbaun of Ramsamma	Had lent money to the Swami before he was made a Swami
			Do	Ramalaya	Do
			Do	Nasi Banasta & Timlappa of Holkhanoor	Do
			Do	Kolappa	His Son had married the Swamis niece, the daughter of
Hanshimkatte	260	149	Do	Lunsashastri	Younger Brother
			Do	Venkatabhoostawadhani	Brotherin Law
			Do	Mallikshatte	Money was lent to the Swami before he was made a Swami
Hanshanahalli	190	72	Ramsastri alias Nursen Bhurte Swami	Narsinahalli Subbu dikshatta	His Friend
Mallalkappa	200	100	Ganpashan alias Sunkar Bhurte	Nasi of Byanoor	Friend & money Lender
Gopasondana Halli	280	139	Someswarashastri Sunker Bhurte Swami	Nasi Samasta	Do Do
Hoosana Halli	50	25	Ganpashan alias Sunkar Bhurte Swami	Ramshastri	Nephew
Oorpadoor			Do	Bhaswata Subbaya	Father in Law

Enquiries made by the Court & answered by the Examiner

Name of the person under the Queens —	His relationship with the absentee	His relationship with the absentee	Nature of land owned	Whether the absentation was made before or after 1853
Linsaushustra (as col 6)	Younger brother	Himself	32	Previous to 1853
Do	Do	Brother-in-Law	2680 odd	Do
Do	Do	Himself	70	Do
Do	Do	Son in Law	70	Do
Do	Do	Uncle	36	Do
Do	Do	Attack from	15	Do
Braunthaustra Linsaushustra as col (6)	Elder Brother Younger Brother	Brother in law Himself	10 12	After 1853 Previous to 1853
Do	Do	Friend	36	After 1853
Do Not a person	Do	Do	40	Previous to 1853
Do	Do	Attack from	36	Do
Do	Do	Do	48	Do
Do	Do	Do	16	Do
Do	Do	Do	8	Do
Do	Do	Father in law to the absentee son	30	Do
Do	Younger brother	Himself	50	Do
Do	Do	Brother-in-law	20	Do
Do	Do	Money lender	12	Do
Teswara sastri	Son	Father	24	after 1853
Linsaushustra	Younger Brother	Himself & two others	40	P to 1853
Braunthaustra	Elder brother	Do D	20	A Do
Linsaushustra	Younger Brother	Maternal Uncle	50	P to 1853
Do	Do	Son in law		Do

(General Serial No. 29.)

OFFICE OF THE
25 OCT. 81
DEWAN OF MYSORE

1881

From The Deputy Commissioner
Shimoga Distt.

To

The Secretary to the ~~Chief Commissioner~~ Dewan
of Mysore, Revenue Department.

Dated 19th
Despatched 20 " 3 October
Received

Enclosures No. 1 & Cau: papers sent in a separate packet

General No. 602
R No. 400
} 1881–82.

Sir,

With reference to your docket No. 5/4/3 dated 22nd April last, forwarding for report a petition from Devan Shashtri, Agent of the Kudli Sringeri Mutt, I have the honor to enclose a statement showing so far as could be ascertained the particulars of the Inam lands referred to.

2. None of the alienees are willing to restore the lands to the Mutt receiving compensation.

The right by which the present holders claim to enjoy the lands may be severally summarized as follows:-

1st The right under deed of gift.
2nds. The right under an instrument

instrument of exchange.

3rd/11 The right under an alleged assignment of the lands as remuneration for service as Patil or Shanbog in the Village in which the lands are situated.

4 to 11 The right of an independent occupant paying only rent and local cess to the Math.

5 to 11 The right of the holder of a Bhattadharyam or personal inam in the Village.

6 to 11 The right of the holder of personal inam paying Jodi directly to the Government though the Inam Department have issued the title deed for the personal inam in the name of the Math.

7 to 11 The right of an independent Inamdar performing service in a temple at Kudli and having a title deed issued in his own name by the Inam Department.

4 Except as to lands in connection with which the first three kinds of right are asserted, I think it is not possible for the Government to give any relief to the Math by summary interference in the case, and that the Math should properly have recourse to the established Revenue and Judicial Courts in due course of law for redress.

5. As regards the other lands, these come within the scope of the rules published in Notification dated 17th November 1877. But these rules have been by a subsequent order of the late Chief Commissioner No 942-43/169 dated 14th June 1879 kept in abeyance pending a reference again to the Government of India on the subject.

6. The Petition is herewith returned and a file of papers connected with the enquiry instituted in this case is also forwarded for reference.

I have the honor to be,
Sir,
Your most obed.t Serv.t

Dep.y Commissioner

Bidre	Inamkhan kattle	1	Sankara Bharati Swami	Saka 1745 Svabhanu Asvija S 10th A.D. 1822-23	Wet	Rs 2 1/2	Lin
		2	"	"	Wet	Rs 12	Sesh

Vide the whole of the village has been confirmed in favour of the Swamy title vested to the Sringeri Math vide total 12a-7 in Rs 213-10 9 and the quit rent/remitted to Govt in Rs 113-7- "

	Settimalli	3	Sankara Bharati Swami	Do	Wet	Rs 4 1/2	Sing
		4	Do	Saka 1742 Vikrama Vasakha 13 A D 1819-20	Wet	Rs 1 1/2	Venkta. vad
		5	Do	Saka 1748 Vyaya Kartik S 15th A D 1825 26	Wet	Rs 6 and odd	Bh Ary
		6	Narasimha Bharati Swami	Saka 1739 Isvara Asvija 15 10th A. D 1816-17	Wet	Rs 2	Shan

sastri	astri sons of Donar	The deed of gift says that the land was granted "Swarnpitavagi at the Dashera festivals. No rent is paid to the Math and the Donar enjoys as Sarva-manu.
panya	Venkatakrishnā-tnāvadhāni of Seshappayya	Deed of gift not produced and is stated to have been lost in a burglary - Occupier says that the land was granted by the Math to his ancestors, but when and what Swamy granted it, he cannot say and that as he is the Patel of the village he thinks that he enjoys the land as a remuneration, without paying any rent to the Math. He further states that the 2nd, 4th, 5th, 6th and 7th previous Swamys were related to the occupier and his ancestors.
	Son, Anantasastri	Vide remark to case No 1.
tramana-'ani	Anantasastri (The same as the above)	Granted by the Swamy "swarnpitavagi to Venkatramanavadhani at the time of a worship of the sepulture of the Swamis predecessor. Anantasastri obtained the land by purchase for Rs 14 from the widow of the Donar in Saka 1778 A.D and enjoys it without paying anything to the Math.
gvat hpa	Bhagvat Rangappa and 5 brothers, descendants of donar	Granted "Swarnpitavagi" at the time of the moon's eclipse. The land is said to be Patel Umbli. One of the brothers is Patel of the village and says that the land is enjoyed as remuneration. Nothing is paid to the Math.
Sarbhatta	Sunkarsastri grandson of the Donar	Granted "Swarnpitavagi" and enjoyed without anything being paid to the Math.

Sattambadi	7	Sankara Bharati Swami	Saka 1741 Vishu Magha Suddha 7 A.D 1818-20	Wet	Rs 1 1/2	Sam
	8	"	"	Shambog Umbli Rs 1/2 other land Rs 1		Nadi
	9	Sankara Bharati Swami	Saka 1793 Pramodruta Bhadrapada Bahula 5 A.D 1870 71	Wet	Rs 1	Sabh
	10	-	-	Wet	Not known	Orang Fonz
	11	-	-	Wet Rs 2 Garden Rs 3		Nara
	12	-	-	Shambog Umbli Rs 1/2 other wet Rs 1 garden Rs 3		Nadig
Varatti	13	-	-	Betel Umbli Rs 4 Garden not known		The Sang
	14	-	-	Wet	Rs 5	The A Nari
	15	-	-	Wet	Rs 1 1/2	Nadig

		granted "Swarnpatavagi on the day
	of the	of Rathasaptami and enjoyed without
	donee	any thing being paid to the Mutha
	Krustappa	Summd not produced The village
	of	was formerly Inkam and after it
	Kolhuranya	was granted as Inam to the Mutha,
		the 1 Pagoda of land is stated to have
		been granted by the Mutha as Sarva
		Manyam. Both this and the Shanbog
		umbli are enjoyed without anything
		being paid to the Mutha.
	The Donee	as Sarvamanyam at the
		of Ramachendra Devarus Patta-
		bhisheka festival.
val	Bayi	No Summd. The holder pays a rent of
of	daughter-in	Rs 11-4-0 to the Mutha but the agent claims
		enhancement or ejectment.
	Narnachar	The holder pays a rent of Rs 21 in-
	grandson	cluding the local cesses but - Do. - Do
	Krishtappa	Vide remarks in case No 8.
	of	
	Kolhuranya	
husband	Sangamma	No Summd. Sangamma's grandson Rama
mma		the Potal of this village. She pays to
ncestors		Mutha a rent of Rs 16 for the Umbli
		and Rs 10 for the garden land besides
		4 as local cess.
ncestors of	Navlanya.	No Summd. Pays a rent of Rs 5 and
anya		local cess to the Mutha.
	Kadam Bhatta	No Summd. This land was said to have been
		Kadig Umbli and obtained from Kadig
		Chikkanya by the father of Kadam Bhatta as a
		- Rent of Rs 4-8-0 is paid to the Mutha.

	Jawalli	16			Wet	Rs 3½	
		17			Total Umbli other	} Rs 2 Rs 1½	
		18	Sankara Bharati Swami	Saka 1771 Sarvajya Vaisakha Suddha 5th A. D 1848-49	garden	Rs 5 and odd	Singe
		19			Wet	Rs 4	Krishn
	Kanavanhatti	20		Not Known	Wet	Rs 4	Dodde
		21	Sankhara Bharati Swami	Saka 1788 Akshaya Phalguna Bahula 14th A. D. 1866 67	Wet and garden	Not Known	Parap (Sivan
		22	do	Saka 1787 Krodhana Ashadha Suddha 13th A. D 1865-66	Wet	Rs 3	Va

Iswarappa — No Summd. Says that he has been enjoying the land as Sarva Inam from the time of his ancestors. Pays to the the local Cesses of Rs 3-8-4

Santamma — Belongs to the Baldar Potter family and been enjoying the Umbli and other and from the time of her ancestors paying rent of Rs 10 for the Umbli and Rs 6-8-4 the other land to the Math.

-astri — of Donee — granted as Sarvamanyam at the time of the 60th Anniversary of the Donor is enjoyed without anything being paid to the Math.

the Summd not produced. The land is stated as in No 18. to have formerly been the Bhatamanyam personal mudm of Kristappa and to been purchased from him by Father Singasastri. nothing is paid to the Math.

Venkatkrishna- vadhani — Summd not produced and alleged to been lost. The occupier says that Oddaramasastri obtained the land the Math by gift and that his father purchased it from him. Nothing paid to the Math.

Parappa. — The Summd says that the land was as Sarvamanyam to be enjoyed generation to generation, because Donee and his father rendered help the Math. The nature of the help is not but the donee says that it consisted of lending money, and supplying to the Math.

Jois — Jois of Naga Jois — granted as Sarvamanyam on the day of Akshatritiya and enjoyed without anything being paid to Government.

Ulyanova

23

Vrat №1½

[illegible] Kiseleva [illegible] Lushkov [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] -3-

Gâpanna

Arkadina

24

Vrat №7½

Kirsoli

Varvara Fedosyuna

25 - - Vrat 2214 ₽

of Nadig Itharamappa

No Summd. says that his Ancestors obtained the land as a gift from the for having performed service it. Nothing is paid to the Math.

Vyankatesa Iyangar

Grant of

Urkadûr no an Agrahar Village and a deed dated Saka 1726 (A D 1803-4) Raktakshi Pushya S 11th is produced by which the Vrithidars have granted the land in question out of their personal inam lands to the Math for the Dipârâdhane service of the Math god. The Inam title deed has confirmed this land to the as a personal inam, making Math as one of the several Vrithidars of the Agrahar. Present occupier does not know how he and his father got of the land and does not possess any Summd from the Math. He pays the Jodi of the land direct to the Sirkar and pays nothing to the Math nor renders any service it.

Subbarayasastri son.

This is a Devadaya Inam confirmed the Inam Department Title deed the name of Subbaraya Sastri for the purpose of rendering the Mantrapushpa service to the Kudli Rameshwara temple. Subbaraya Sastri says that he has been performing this service. He does not belong to the Math nor has the Agent of the Math shewn any reason why Sastri should be ousted.

Dharmagore	Gowramgore	Kattalagere	26 Shankarbharati the present Guru		Wet	Rs 30
Ramagiri		Lingere	27	Do	Dry	Rs 37

Shimoga
19th October 1881

Nagasastri

Nagasastri had certain Inam lands at Uddagatte near Immminkatta in the Dharwar District where the Guru of the Math has a Math, and exchanged them with these lands.

Do

Deputy Commissioner
Dharwar Dt

J.

Proceedings of the Government of Mysore

(1)

Revenue

Read :-

Letter No. 602-400 of the 19th October 1881 from the Deputy Commissioner of the Shimoga District reporting upon a petition from Devar Sastry, agent of the Kudli Sringeri Matt, praying for the restoration to the Matt of certain lands which have been alienated by the former Gurus.

And ;-

Proceedings of the Chief Commissioner of Mysore, Revenue Department No. $\frac{3863-4}{R\ 664}$ dated 23rd October 879.

"The Government of India having "decided that the Rules in regard to the "treatment of alienations of inam lands "belonging to religious and charitable "institutions, published in Notification "dated the 17th November 1877, should "continue to be acted on, the Chief Commis- "sioner cancels the instructions ~~land~~ issued

issued in Para 4 of his Proceedings dated 14th June 1879, No. 942-3/R, 169, to hold the above rules in abeyance"

2 Under the Rules of 1877, alienations made subsequent to 31st January 1853 are to be summarily cancelled, those of more than 50 years' standing prior to 14th December 1867 are to be respected, and those of less duration but of a date prior to 31st January 1853 are to pay half assessment direct to the institution to which the Inam originally belonged. The Inam Superintendent should be called upon to explain how these last mentioned cases are recorded in the Registers and provided for in the title-deeds in order that the Jodi payable to the institution may not be mixed up with that payable to the Government. The cases perhaps may best be entered and confirmed under the head of the grant to the institutions concerned

" with a Specification of the arrangements
' made and not as a separate personal
' inam."

Order thereon No. 6123-31/181
Dated 18th November 1881

The Notification of 17th November 1877 remains in force as per Proceedings No. 3863-4/2664 of the 23rd October 1879, a copy of which is now circulated to all Deputy Commissioners. The Deputy Commissioner of Shimoga should now dispose of the first 3 cases on the list in which alone the Matt seems to have any right, in accordance with the terms of the Notification.

Copy
Cantonment 23/1/96.

(11)

Memo.

Petition No 596 dated 10th May 1892 from the Agent of the Kudli Srigeri Matt;

and,

Shimoga Deputy Commissioner's report No 706/33 dated 23rd December 1895

The facts of the case are:—

On the 11th March 1881, the Agent of the Kudli Matt petitioned the late Chief Commissioner stating that most of the Inam lands endowed to the Matt had been alienated by the former Priests and praying for the cancellation of the alienations and the restoration of the alienated lands to the Matt. After an enquiry into the subject, the Government in Proceedings No 6123-31/181 dated 18th April 1881, directed the Deputy Commissioner to deal with the alienations in accordance with the Notification dated the 17th November 1877 issued

under the orders of the Government of India.

2. As the alienations had taken place in 1822, i e, prior to 1853, but within 50 years computing the period of possession up to 14th December 1867, they had to be dealt with under Rule II Clause A of the Notification. And, as the present holders of the lands (the heirs and representatives of the donees) would not voluntarily restore the same to the Matt, the Deputy Commissioner after a further correspondence of nearly 7 years, confirmed the lands in the possession of the alienees and directed them to pay to the Matt half the assessment on the lands, which the Deputy Commissioner in communication with the Inam Superintendent, fixed at half the net values of the Inams plus the Jodi payable thereon; vide statement produced by the Petitioner.

3 The alienees refused to pay the amount. Thereupon

the Agent of the Matt filed a Civil Suit against one of them, claiming from him for the lands confirmed in his possession, arrears of 9 years' rent at the rate of Rs 17. 10. 0 a year fixed by the Deputy Commissioner as per calculations noted in the margin.* The Munsiff decided that the claim for the first 6 years was time-barred and decreed the remaining 3 years' rent at Rs 17-10-0 a year 4. On appeal, the District Judge concurred with the Munsiff in holding that the claim for the first 6 years was time-barr ' but reduced the decreed rent for the remaining 3 s by Rs 8. 10 0 on the ground that under Clause A of Rule 11 of the Notification of 1877, the alienees were liable to the payment of only one half of the assessment proper without reference to the Jodi on the lands, which the Inamdar (the Matt) alone had to pay to Government. The assessment proper being Rs 29. 8. 0, the District Judge decided that the Matt was entitled to

* Assessment on land Rs 29. 8. 0
Jodi to Government " 5. 12. 0
Balance of Jari Inam to Matt — " 23. 12. 0
½ of — Do — " 11. 14. 0
Jodi to Government " 5 12. 0
Rs 17 10 0

receive from the alienees, rent at the rate of Rs 4.12.0 a year.

5. On this, both the Matts' Agent and the alienees appealed to the Chief Court who upheld the district Judge's decision in entirety, but with reference to the appeal of the Matts' Agent the Chief Court remark in their Judgment "the records do not shew that the fixing of this amount* received the sanction of Government or that it was adopted under its authority. Probably if this course had been followed, Clause (b) of Section 221 of the Land Revenue Code would have applied and Civil Courts would have been debarred from entertaining objections to the amount of the assessment." They further remark "that no authority has been shewn to regard the amount fixed by either the Deputy Commissioner or the Assistant Superintendent as final. As already shewn, the amount of the assessment not having been fixed under the authority of the Government, the provision* of the Land Revenue Code already referred to does not debar

Civil

* Rs 17.10.0 as rent payable to the Matt by the alienees.

* Section 221(b).

"Civil Courts from judging
"of the correctness of the taxation
"The learned district Judge
"has explained the error made
"by the deputy Commissioner
"and the Munsiff very clearly
Defendants were not paying
any Jodi at all. When
assessment is imposed upon
these lands, there will be no
manner of justification
for a proportion of the Jodi
amount payable by the
Jodidar (who is the Swami of
the Matt) to the Government
being levied from them. All
that they are liable to pay
under the rules, is one half
of the assessment due on the
land and that is ½ of Rs 29 8 0
or Ro 14. 12 0."

6. The Matt's Agent
now prays that the annual
rents fixed by the Deputy
Commissioner as payable
to the Matt by the several
aliences may be confirmed
by Government, as the want
of such confirmation has
led to the Civil Courts reducing
the amount of rent payable

by the alienee concerned in the Civil Suit above referred to, and might further lead to the other alienees setting up similar contentions for the reduction of the rents payable by them also.

13-1-96

Received on 15/7/92.

No. Pet. 83 22/r

MYSORE DEWAN'S OFFICE

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 596
dated 10th June/92 received at the
Dewan's Office from Sankara Nasby
Agent of Koodli Singeri
Matt, Koodli, Shimoga
District Taluk.

is ~~forwarded, together~~ transferred with its one
enclosure, to the Mysore Superin-
tendent for disposal

By Order,

(Sd) T. Ananda Rau

Chief Secretary.

BANGALORE,
12th July 1892.
15

Copy
T. Ananda Rau

Vide Endt No 589 Dt 14/10/93

also
Chief Secretary

MUZARAI.

eneral Serial No. 30)

1893.

From

The Secretary to the Dewan
of Mysor e

To The Supdt of Inam settlements

Dated 6th November/93

Despatched 6th November/93

Received ✓

Enclosures No

General No. 482
Muzarai F. No.

Has the honor to request that a copy of his letter No. 185 dated 17th Decr/81 addressed to the Dy Commr Shimoga Distt regarding the alienation of the Inam lands attached to the Kudli Sringeri Matt in the Shimoga Taluk may be forwarded to this office for reference at a very early date.

By order

Secretary
6.11.

Mysore Govt. Central Press, Bangalore.—25-9-93-1,000.

from the Sanchi 25/98/11/93

1893. 370

CFT BRANCH DEWAN OF MYSORE

From

The Superintendent
of Inam Settlements in Mysore.

To

The ~~Chief~~ Secretary
to the Government of Mysore,
Municipal Department.

Dated 8th
Despatched 8th } November
Received. 10-11-93

Enclosure No. 1

No. 25

His Docket No. 482
of the 6th Instant.

As requested in the
above, has the honor to
forward herewith a copy
of this Office letter No. 185
dated 14th December 1881.

V. Srinivasa Rao
for Supdt. of Inam Settlts

D.

Recorded
W
10/11/93

D.C. Shrinivasa Rao 233 D 10/3/95

(63)

No. 185. Inam Settlement Office,
Bangalore 17th December 1881

To,
The Deputy Commissioner
Shimoga District.

Sir,

In acknowledging the receipt of your letter No. 713 of the 28th ultimo, I have the honor to state that the imposition of half the assessment of the difference between the full assessment and the Jodi as calculated in the last para of your letter seems correct. With regard to the information about the assessment of the lands situated in whole villages, no data are available in this Office, but this can be ascertained from the Pahani and other accounts. If the lands are excluded Jari Inams, the information required can be had from the Jari and other accounts.

I

I have the honor to be &c,

(Signed) J. D. Grant

Supt of Indian Affairs

" Copy

D. Birmingham

For Supt of Indian Affairs

DJ

M. No. 233

MYSORE DEWAN'S OFFICE,

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 796
dated 10th May 92 received at the
Dewan's Office from Sankaranarayana
agent of Kudli Srigeri
Matt, Shimoga Taluk

is forwarded, together with its nil
enclosures, to the Dy Comr Shimoga

2. The Dy Comr is requested
to report the principle
of Calculation on which
he has fixed the
proportion of Assessment
payable by the Aliences
of the several Inam lands
belonging to the Matt,
as per Statement produced
by the petr.

3. The connected records bearing
on the subject may be
forwarded for reference

By Order,

Muzrai Secretary.

BANGALORE,
6/8/1893.

Mysore Govt. C. Press, Bangalore.—17-12-92.—300.

No 706 & 23-12-95

Gen. Serial No. 31.]

189.5

From Asst Commissioner Shimoga District

To Mysore Govt

The Secretary to the ~~Dewan~~ of Mysore.

Dated 23rd December/95.

Despatched

Received

Enclosures—No. 1 & record

General No. 706
No. 33

With reference to Special Memo: No: 233 dy 10.8.95, Submits report re the proportionate assessment payable by the aliences of the several Inam Lands belonging to the Kuda Sringeri Matt in Shimoga Taluk.

No 831-2 dy 10/2/96

Dy Comm^r^ Office,
Shimoga District
Dated, 23^d^ December 1895

No. 706/33 Enc: 1 + records

To

The Hon^ble^ Secretary to the
Government of Mysore.

Sir,

1. On returning herewith the original petition of Sankara Sastry of the Kudli Sringeri Mutt, received with your official Memorandum of the 10^th^ August last, I have the honor to inform you that the Revenue Records and correspondence connected with the Inam Lands mentioned in the petition having formed exhibits in Civil original Suit No: 279 of 1890 on the file of the Shimoga Munsiff, have been ordered by the District Court under Civil Rules of practice, after final adjudication of the matter.

2. Two files of Civil Records that have been preserved in the Central Record Room, are herewith transmitted for

for perusal and return. So far as I gather from these Records the circumstances of the case are as follows.

3. Prior to the year 1822, Sri Sri Sri Ness the late Maha Raja Krishna Raja Wadeyar Bahadur, granted to the Sringeri mutt at Kudli in the Shimoga Taluk the 5 villages of Settihalli, Javalli Machenahalli, Kanasikatte and Malalakoppa on Jodi tenure for the maintenance of the religious services in the institution. The total assessment and Jodi amount as recorded by Inam and Revenue Survey Departments are as follows:—

No.	Name of village	Assessment	Jodi payable to Govt.	Jodi amount in favor of the matt.	
1	Settihalli	643 7 .	142 5 .	501 2 .	
2	Javalli	621 9 4	154 12 .	466 13 4	
3	Machenahalli	582 6 6	113 7 .	468 15 6	
4	Kanasikatte	623 9 10	120 11 .	502 14 10	
5	Malalacoppa	314 4 1	82 . .	232 4 1	
	Total	2785 4 9	613 3 .	2172 1 9	

4. In the year Swabhanu 1822, the Guru who then presided over the matt gave away by way of Gift to 12 different individuals some lands in each of the said 5 villages, and the donies and their descendants have since then upto the present date been in enjoyment of the lands.

5. Under Orders of the Government of India, a Notification dated 17th November 1877 was passed by the late Chief Commissioner ruling that lands of this character alienated prior to 31st January 1853 but within 50 years computing the period of possession upto 14th Dec. 1867, should be confirmed to the alinee on condition of his paying direct to the institution from which the land was alienated, a Jodi of one half the assessment. On the complaint of the successors of the former Guru who made the alienation, the question of assessing the alienated lands became subject of discussion from 1881 to 1888 when the then Dy Commissioner proposed

to make the aliences liable for payment of Rs 294 - 5 - 0 to the mall according to the following Calculations.

1			2			3			4			5			6			7			8			
Total assessment of the mall lands in 5 villages			Total Jodi payable by the mall to Government			Survey Assessment of the alienated lands in 5 villages			Proportionate Jodi payable through the mall on the alienated lands.			Balance forming the aliences Jara land			Moiety of the amount in Col: 5 payable by the aliene to the mall.			Other moiety Confirmed to the aliences.			Total liability of aliences to the mall Cols: 4 to 6.			
2785	4	9	613	3	.	485	.	4	103	10	.	381	6	4	190	11	.	190	11	.	294	5	.	

6 The above proposal was submitted by the Hon'ble Commissioner to the Inam Superintendent with his letter No. 763 of the 28th November 1881. The Inam Superintendent in his reply No. 185 of the 7th December 1881, approves of the correctness of the D. Commr's Calculations. This I gather from the entries in the correspondence Registers, as the originals have been destroyed by the Civil Court.

7. Final Kulwar and Fieldwar Statement in conformity with the above calculations was issued by the D. Commissioner on

on 28th November 1888. The Aliences having objected to a decree by this settlement, the Guru lodged a suit in the Shimoga Munsiff's Court in 1890 against one of them for the recovery of Rs 158-10-0 being 9 years dues at Rs 17-10-0 a year according to the above settlement. The Munsiff in O.S. no: 279 of 1890 gave a decree in favor of the mutt, the Plaintiff.

C. no: 1580 of 1890

In appeal, and second appeal, the District Judge and the Chief Court held that the calculations which governed the settlement was wrong, and that the Alience was liable to pay to the mutt only half of the assessment of the alienated land within the meaning of the Notification of November 1877 quoted in Para 5. The assessment of the lands held by the defendant in the said suit being Rs 29-8-0, the above decrees had the effect of reducing the amount of the Dy Commissioners settlement from Rs 17-10-0 to Rs 14-12-0. The Plaintiff's Counsel

II. 10 & 27 of 1891

argued

urged before the Chief Court that the settlement made by the Revenue officers was final and not subject to revision by a Civil Court under Clause 6 of Section 221 of the Land Revenue Code. But the Chief Court held that as the Record did not show that the settlement received the sanction of Government, or that it was adopted under its authority, the Civil Court was not debarred from entertaining objections to the same.

8. The petitioners' present prayer is that the Government may accord their sanction to the settlement. From the footnote attached to the Kulwar statement, an attested copy of which forms enclosure to the Petition under Report, it would appear that the mills' first complaint on the subject was made to Government, who in their proceedings No. 6123/181 of the 21st November, 1881, directed the disposal of the matter under the Notification of November 1877. The question now is whether the

the calculation of half assess-
ment made by the Dy Commr.
or that adopted by the Civil
Court favorable to the aliences
is correct. As the original letters
are not forthcoming, I am
unable to say on what princi-
pal the then Dy Commissioner
(Mr Madhava Row) apportioned
the proportionate Jodi due on the
alienated lands and half
of the wet assessment due from
these lands as the Jodi on
half assessment payable
by the aliences under the
Notification. This has been
approved by the Inam Com-
missioner also. But on a
liberal interpretation of the
Notification and of the Corres-
pondence on the subject, the
calculation adopted by the Civil
Courts, appears to me to be in ac-
cordance with the Rules.
I have the honor to be
Sir,
Your most obedient servant

Dy Commissioner

General Serial No 30.]

MUZARAI.

189

From

The Secretary to the
Dewan of Mysore.

To

The Inam Supt.

Dated 16. 1. 96

Despatched

Received

Enclosures No.

General No. 720
Muzarai F. No.

I has the honor
to request ~~that Copies~~
to be furnished with
Copies of the marginally
noted ~~correspondence~~ letters
as the same are
required for reference
in connection with
a case now pending
before him regarding
the amount of Cesses
now fixed on the

Ans. to 763 of 28th Dec. 95.
Inam Supt's letter dt 8th Jan 96
Ans. to this 185 of 17th Feby 1897.
No. 7839 of 28 Nov 95.

the same vide 74 of 18.1.96

Alienated Indian
lands of the Kadiak
Archipelago, Alaska,
and the originals
of the letters are
~~have~~ not ~~forthcoming~~
forthcoming in
the records.

By order

as

Secy

1896

From

The Superintendent of
Inam Settlements in Mysore,
Bangalore.

To Mukhri

The ~~Chief~~ Secretary to the
Government of Mysore.

~~Jud. Rev. Rev. & Statistics~~

Dated 18th
Despatched 18th } January
Received

Enclosure No. 2

No. 74 of 1895—96

His docket No. 720 of the 16th Instant.

Has the honor to forward herewith copies of the marginally noted letters as called for in the above.

Supdt of Inam Settlts.

Shimoga's Deputy Commissioner's letter to Inam Superintendent No. 763 of 28th November 1887.
Inam Superintendent's Reply thereto No. 185 dated 17th December 1887.

Pro Rev 831-2 / 40.95 9/10/2/96

100

No 763

Deputy Commissioner's office
Shimoga District

Shimoga 28 November 1881
Despd. 29th

To
The Superintendent of Inam
and Survey Settlement
of Mysore

Sir,

With reference to the Dewan's Proceedings No. 6123-31/181 dated 1st Instant stating that the notification dated 17th November, 1877 regarding the settlement of alienated inam lands belonging to religious and charitable institutions has not been cancelled and directing that I should dispose of certain cases of the alienated inams of Kudli-Sringeri Matte in accordance with it, I have the honor to state that some of the lands in question are situated in the inam villages noted in the margin, which have been assessed for the purposes of the combined quit-rent villagewari in Thur entirely without a detailed measurement and assessment of the fields comprised in them, and to request instructions as to how the assessment of each field in dispute should be ascertained

× Shimoga Taluk
Kanadinkatte
Malalkoppa
Gyarvalli
Machenhalli
Settehalli

ascertained or fixed in order to direct the alienee to pay a "Jodi" of half the assessment to the Inatte, whenever such a settlement may be required by circumstances with reference to the rules above quoted.

2. I beg also to request instructions on the following point:—

Supposing in any case the Inam alienated bears an assessment of Rs 20 with a Jodi or quit rent of Rs 15, paid to Government by the alienee, is the latter to pay to the temple 10 Rs as half assessment in addition to the 15 Rs he pays to the Government thus paying 5 Rs more than the assessment itself?

If the temple is paying the quitrent as in the case of lands included in entire Inam villages, is it to get from the alienee in a similar case only 10 Rs or half the assessment, while proportionately to the total quit rent of the village, it is found paying 15 Rs to Government for the land? Or does half the assessment mean one half of that portion of the assessment of the land

land which is in excess of the quit-
rent paid to Government and that
the alienee should pay in the case
above put as follow: ——

Jodi of land assessed
at Rs 20/ to be paid to
Government directly or
through the temple 15—.—.

½ of the difference between
Rs 20 and 15— to be paid
to the temple 2-8—.

Rs. 17-8—.

I have the honor to be
sir,
Your most obedient servant

(signed). I Venkata Varda Ayyangar
Deputy Commissioner.
Shimoga District

"Copy"
D'Souza
Asst to Inam Rebls

No 185

Inam Settlement office
Bangalore 17th December
1881

To The Deputy Commissioner
Shemoga District

Sir

In acknowledging the receipt of your letter no 763 of the 28th ultimo. I have the honor to State that the imposition of half the assessment of the difference between the full assessment and the jodi as calculated in the last para of your letter seems correct. With regard to the information about the assessment of the lands situated in whole Villages, no data are available in this office but this can be ascertained from the Pahani & other accts. If the lands are excluded Jari Inams, the information required can be had form the Jari and other accounts

(Signed) J. P. Grant
Supt of Inam Settlement

"Copy"
J. P. Grant
Supt of Inam Settlement

Murrai. (12)

Read:-

Petition no 596 dated 10th May 1892 from Sankara Sastri, Agent of the ~~Kadli~~ Srngeri Matt at Kadli, Shimoga Dist.

And Letter no 706/38 dated 25th December 1895 from the Dy. Commr, Shimoga District forwarding ~~and the following~~ above ~~Memo of~~ ~~dated 28. Jan 96~~ by the Murrai Superintendent, ~~on the above~~ dt. 23rd Jan. 1896.

The foll. Rolt ~~thereon~~ on the above

x x x x x

In Execution

No 831-3/Jn 7 40-95 dt 10-2-96 Order thereon

The Govt observe that under Rule II Cl. A

of the Notification dated
17th November 1877 issued
by the late Ch: Commr
with the sanction of the
the alienees are liable to pay to
Govt of India, the Matt
~~is not entitled to levy~~
~~from the alienees more~~
only one
~~than~~, half the assessment
fixed on the alienated lands and are not to pay
~~and it should pay to~~ in addition any portion
~~Govt the entire Jodi imposed~~ of the Jodi imposed thereon
~~thereon~~. the whole of which, should be
be paid to Govt by the Matt itself.

2. The Govt therefore
see no reason to
interfere in the matter,
and the petition is
accordingly rejected

Endt of Petitioner

Lacy.

Mutta

To
The Dy Commr of Shimoga
~~with~~ ret the enclosure.

READ.—

Petition No. 596, dated 10th May 1892, from Sankara Sastri, Agent of the Kudli Sringeri Matt, Shimoga District.

AND—

The following letter No. 706—33, dated 23rd December 1895, from the Deputy Commissioner, Shimoga District, reporting on the above.

In returning herewith the original petition of Sankara Sastri of the Kudli Sringeri Matt, received with your official Memorandum of the 10th August last, I have the honor to inform you that the Revenue Records and correspondence connected with the Inam lands mentioned in the petition, having formed exhibits in Civil Original suit No. 279 of 1890, on the file of the Shimoga Munsiff, have been destroyed by the District Court, under Civil Rules of Practice, after final adjudication of the matter.

2. Two files of Civil Records that have been preserved in the Central Record Room are herewith transmitted for perusal and return. So far as I gather from these records, the circumstances of the case are as follow:—

3. Prior to the year 1822, His Highness the late Maharaja Krishna Raja Wodeyar Bahadur, granted to the Sringeri Matt at Kudli in the Shimoga Taluk, the five villages of Settihalli, Javalli, Machenahalli, Kanasikatte and Malalakoppa, on Jodi tenure for the maintenance of the religious services in the institution. The total assessment and Jodi amount as recorded by Inam and Revenue Survey Departments are as follow:—

No.	Name of Village.	Assessment.	Jodi payable to Government.	Jari amount in favor of the Matt.
		Rs. a. p.	Rs. a. p.	Rs. a. p.
1	Settihalli	643 7 0	142 5 0	501 2 0
2	Javalli	621 9 4	154 12 0	466 13 4
3	Machenahalli	582 6 6	113 7 0	468 15 6
4	Kanasikatte	623 9 10	120 11 0	502 14 10
5	Malalakoppa	314 4 1	82 0 0	232 4 1
	Total ...	2,785 4 9	613 3 0	2,172 1 9

4. In the year Swabhanu (1822,) the Guru, who then presided over the Matt, gave away by way of gift to 12 different individuals some lands in each of the said 5 villages and the donees and their descendants have since then, up to the present date been in enjoyment of the lands.

5. Under orders of the Government of India, a Notification, dated 17th November 1877, was passed by the late Chief Commissioner, ruling that lands of this character alienated prior to 31st January 1853, but within 50 years computing the period of possession up to 14th December 1867, should be confirmed to the alienee on condition of his paying direct to the institution from which the land was alienated, a Jodi of one-half the assessment. On the complaint of the successors of the former Guru, who made the alienation, the question of assessing the alienated lands became subject of discussion from 1881 to 1888, when the then Deputy Commissioner proposed to make the alienees liable for payment of Rs. 294-5-0 to the Matt according to the following calculations:—

1	2	3	4	5	6	7	8
Total assessment of the Matt lands in 5 villages.	Total Jodi payable by the Matt to Government.	Survey assessment of the alienated lands in 5 villages.	Proportionate Jodi payable to Government through the Matt on the alienated land.	Balance forming the alienee's Jari land.	Moiety of the amount in column 5 payable by the alienee to the Matt.	Other moiety confirmed to the alienees.	Total liability of the alienees to the Matt, columns 4 and 6.
Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
2,785 4 9	613 3 0	485 0 4	103 10 0	381 6 4	190 11 0	190 11 0	294 5 0

6. The above proposal was submitted by the then Deputy Commissioner to the Inam Superintendent with his letter No. 763 of the 28th November 1881. The Inam Superintendent in his reply No. 185 of the 17th December 1881, approved of the corrections of the Deputy Commissioner's calculations. This I gather from the entries in the correspondence Registers as the originals have been destroyed by the Chief Court.

7 Final Kulwar and Fieldwar Statement in conformity with the above calculations was issued by the Deputy Commissioner on 28th November 1888 The aliences having objected to abide by this settlement, the Guru lodged a suit in the Shimoga Munsiff's Court in 1890 against one of them for the recovery of Rs. 158 10-0, being 9 years' dues at Rs. 17-10-0 a year according to the above settlement. The Munsiff in O. S No. 279 of 1890 gave a decree in favor of the Matt, the Plaintiff. In * appeal and second † appeal, the District Judge and the Chief Court held that the calculations which governed the settlement was wrong and that the alienee was liable to pay to the Matt only half of the assessment of the alienated land within the meaning of the Notification of November 1877 quoted in para 5. The assessment of the lands held by the defendant in the said suit being Rs. 29 8-0 the above decrees had the effect of reducing the amount of the Deputy Commissioner's settlement from Rs. 17-10-0 to Rs. 14 12 0. The plaintiff's counsel argued before the Chief Court that the settlement made by the Revenue Officers was final and not subject to revision by a Civil Court under Clause 6 of Section 221 of the Land Revenue Code. But the Chief Court held that, as the records did not show that the settlement received the sanction of Government or that it was adopted under its authority, the Civil Court was not debarred from entertaining objections to the same.

* No 158 of 1840
† Nos. 10 and 27 of 1891

8. The petitioner's present prayer is that the Government may accord their sanction to the settlement. From the foot note attached to the Kulwar Statement, authenticated copy of which forms enclosure to the petition under report, it would appear that the Matt's first complaint on the subject was made to Government, who, in their Proceedings No, 6123 181 of the 1st November 1881, directed the disposal of the matter under the Notification of November 1877.. The question now is whether the calculation of half assessment made by the Deputy Commissioner or that adopted by the Civil Court favorable to the alienees is correct As the original letters are not forthcoming, I am unable to say on what principle, the then Deputy Commissioner (Mr Madhava Rao) apportioned the proportionate jodi due on the alienated lands and half of the wet assessment due from these lands as the jodi on half assessment payable by the alienees under the Notification. This has been approved by the Inam Commissioner also But on a literal interpretation of the Notification and of the correspondence on the subject, the calculation adopted by the Civil Courts, appears to me to be in accordance with the rules.

No. 831-2—Muz. F. 40-95, dated Bangalore, 10th February 1896.

Order thereon.—The Government observe that under Rule II, clause A of the Notification, dated 17th November 1877, issued by the late Chief Commissioner with the sanction of the Government of India, the alienees are liable to pay to the Matt only one half the assessment fixed on the alienated lands, and are not to pay in addition any portion of the jodi imposed thereon, the whole of which should be paid to Government by the Matt itself.

2. The Government therefore see no reason to interfere in the matter and the petition is accordingly rejected.

for Muzrai Secretary.

To—The Deputy Commissioner, Shimoga District returning the enclosures.
The Inam Superintendent in Mysore, for information

Encl.—Map

1895-96

GOVERNMENT OF MYSORE

MUZRAI

PROCEEDINGS

Dated 10th February 1896.

No. 831-2
Muz F. 10-95

Passing orders on the petition of the Agent of the Kudli Sringeri Matt, regarding the assessment payable to the Matt by the holders of its alienated Inam lands.

M.G.C.P.B.—12-2 96—120

Gen. 30.]

189

MUZRAI.

From

To

Dated 27. 2. 96

Despatched

Received

Enclosure No.

General No. 938 B

Muzrai F. No. 40-95

Copy is forwarded to the Agent of the Kudli Smigeii Matt for information in reply to his petition No. 596 of 10th May 1892.

~~Customs attached~~

By order

Asst. Secy

Proceedings of the Dewan to His Highness the Maharaja of Mysore (Revenue),—dated 1st November 1881.

READ—

Letter No. 602—400 of the 19th October 1881, from the Deputy Commissioner of the Shimoga District, reporting upon a petition from Devar Sastri, Agent of the Kudli Sringeri Matt, praying for the restoration to the Matt of certain lands which have been alienated by the former Gurus.

Proceedings of the Chief Commissioner of Mysore, Revenue Department, No. 3863-4 —R. 664, dated 23rd October 1879.

Read—Letter from the Secretary to the Government of India, Foreign Department, No. 75, I. R., dated 13th September 1879.

Order thereon.—The Government of India having decided that the Rules in regard to the treatment of alienations of inam lands belonging to religious and charitable institutions, published in Notification dated the 17th November 1877, should continue to be acted on, the Chief Commissioner cancels the instructions issued in para 4 of his Proceedings, dated 14th June 1879, No. 942-3—R. 169, to hold the above rules in abeyance.

2. Under the Rules of 1877 alienations made subsequent to 31st January 1853 are to be summarily cancelled, those of more than 50 years' standing prior to 14th December 1867 are to be respected, and those of less duration but of a date prior to 31st January 1853 are to pay half assessment direct to the institution to which the inam originally belonged. The Inam Superintendent should be called upon to explain how these last cases are recorded in the registers and provided for in the title-deeds in order that the jodi payable to the institution may not be mixed up with that payable to the Government. The cases perhaps may best be entered and confirmed under the head of the grant to the institutions concerned with a specification of the arrangements made, and not as a separate personal inam.

To—The Survey and Inam Commissioner of Mysore.
The Inam Superintendent in Mysore.

No. 6123-31—181, DATED 1ST NOVEMBER 1881.

ORDER THEREON.—The Notification of 17th November 1877 remains in force as per Proceedings No. 3863-4—R. 664 of the 23rd October 1879, copy of which is now circulated to all Deputy Commissioners. The Deputy Commissioner of Shimoga should now dispose of the first three cases on the list in which alone the Matt seems to have any right, in accordance with the terms of the Notification.

R. VIJAYINDRA RAO,
Secretary.

To—The Deputy Commissioner of Shimoga with Kanarese Proceedings.
The Inam Superintendent.
The Deputy Commissioners of other Districts.

[I—1] Register of "Suspend" Cases of the..... Branch

WD 1886—GPB—25,000 copies—18 7-21

Letter		To whom	File and Serial No	Brief Subject	Reply		Reminders issued and other memoranda
No.	Date				Diary No	Date of receipt	